

State of New Jersey
Government Records Request
Receipt

Requestor Information

Lucy Parsons Labs

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Somerville, MA 01569

82720-07784466@requests.muckrock.com
617-299-1832

Request Date: November 13, 2019

Maximum Authorized Cost: \$25.00

Email

Request Number: W152525

Request Status: Denied Closed

Ready Date:

Custodian Contact Information

Division of State Police

Records Custodian

PO Box 7068

SP Headquarters - Bldg 15 - River Road

West Trenton, NJ 08628

dsp@gw.njsp.org

609-882-2000 ext. 6584

By _____

Status of Your Request

Your request for government records (# W152525) from the Division of State Police has been reviewed and has been Denied Closed. Detailed information as to the availability of the documents you requested appear below and on following pages as necessary.

The cost and any balance due for this request is shown to the right. Any balance due must be paid in full prior to the release / mailing of the documents.

If you have any questions related to the disposition of this request please contact the Custodian of Records for the Division of State Police. The contact information is in the column to the right. Please reference your request number in any contact or correspondence.

Cost Information

Total Cost:	\$0.00
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Deposit:	\$0.00
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Total Amount Paid:	\$0.00
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Balance Due:	\$0.00
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Document Detail

Div	Doc #	Doc Name	Redaction Req	Pages	Legal Size	Electronic Media	Other Cost
SP	01	For all search warrants, applications for search warrants, cancellations, and authorization for search warrants between 2012 to the date of processing this request	N		N	N	
		Denial: 39.Improper and Overbroad --- additionally,if any responsive records did exist, such records would be considered criminal investigatory records,					

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Ms. Parson Labs,

The Division of State Police is in receipt of your OPRA request.

As to your request for "For all search warrants, applications for search warrants, cancellations, and authorization for search warrants between 2012 to the date of processing this request" is denied as improper and overbroad, as this request does not seek access to specific, identifiable records, and would require research. "The requestor must identify the records sought with specificity. The request may not be a broad, generic description of documents that requires the custodian to search the agency's files and 'analyze, compile, and collate' the requested information." *Bart v. Passaic County Public Housing Agency*, 406 N.J. Super. 445, 451 (App. Div. 2009) (citations omitted). OPRA does not require a public agency to "survey [its] employees," to conduct "research," to "generate new documents that provide information sought," or to review all of its files to "select the documents and data" that might be responsive to a broad request. *N.J. Builders Ass'n v. N.J. Council on Affordable Housing*, 390 N.J. Super. 166, 178 (App. Div.), cert. denied, 190 N.J. 394 (2007).

Moreover, if any responsive records did exist, such records would be considered criminal investigatory records, which are specifically exempt from public access under OPRA, N.J.S.A. 47:1A-1.1, and *N. Jersey Media Grp., Inc. v. Twp. of Lyndhurst*, 229 N.J. 541 (2017).

The Division reserves the right to claim additional grounds for denial not raised in this response.

Accordingly, your request is now considered Denied Closed.

Sincerely,

DSFC Kristina Pados
New Jersey State Police

Your request for government records (# W152525) is as follows:

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To Whom It May Concern: Pursuant to the New Jersey Open Public Records Act, I hereby request the following records: For all search warrants, applications for search warrants, cancellations, and authorization for search warrants between 2012 to the date of processing this request, please provide the following points of record for each: Full Name of requester If arrest, arrest ID (eg some cities/states use, "Incident Report") Reason(s) for search warrant (typically either hand-written, or checkboxes) Badge ID (or similar) of requester District/Unit Name of Judge Name of approving officer Whether an Arrest happened Requested location of search warrant Location of search warrant execution Type of search warrant Statements used to justify search warrant Time and date when search warrant was submitted for approval Time and date when search warrant was executed Whether anything was seized Whether anything was found License plate of vehicle (if relevant) Race of person for search warrant Age of person for search warrant State of person for search warrant Whether an informant was involved Method of contact with informant leading to search warrant (eg, phone call, mail, fax, email, etc) Description of person search warrant executed on Legal code of violation Description of violation Date of violation If search warrant related to debt: name of company debt is owed to, amount owed Whether FBI involved ID associated with FBI document (eg, IR #) Whether search warrant was cancelled Whether contraband found Whether narcotics found The records responsive to this request are likely available in a database, or in some query-able format. If your department or agency does not have direct access to the records, please raise to the respective department that can run queries directly (eg, through SQL). Should your agency not have all of the requested records within a single record or document, please provide me the relevant documents that do, even if that requires more than one class of document. Should some of the records be unavailable, please let me know ahead of time so that we can narrow the request accordingly. As the records responsive to this request are imperative for understanding how search warrants are executed, I ask that the public interest of these records be evaluated to the extent that the public's interest outweighs this request's burden. To add, this request is being sent to the largest city of every state and will be collated together to create a comprehensive map of search warrants throughout the US. As such, the records are not only important for understanding search warrants at a local level, but also at a national and state-wide level. Please ensure that provided documents comply with Section 508, as these records will be shared with members of the public who are covered under the ADA. This guide should be helpful: <https://www.hhs.gov/web/section-508/making-files-accessible/checklist/pdf/index.html> If this request was sent to the wrong department or agency, please let me know so that I can send to the correct place. The requested documents will be made available to the general public, and this request is not being made for commercial purposes. In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not. Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 7 business days, as the statute requires. Sincerely, Lucy Parsons Labs